

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALOFT MEDIA, LLC,

Plaintiff,

V.

BROOKSTONE, INC., HONEYWELL, INC., THERMO FISHER SCIENTIFIC, INC. d/b/a DAVIS INSTRUMENTS, COLE-PARMER INSTRUMENT COMPANY, LACROSSE TECHNOLOGY, LTD., CHANEY INSTRUMENT COMPANY, RAINWISE, INC., COLUMBIA WEATHER SYSTEMS, INC., PEET BROS. COMPANY, INC. and TANDD U.S. LLC,

Defendants.

Civil Action No. 2:08-cv-153

JURY TRIAL DEMANDED

ORDER

The plaintiff filed a notice of dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) as to Thermo Fisher Scientific, Inc. D/B/A Davis Instruments. Accordingly, Thermo Fisher Scientific, Inc. D/B/A Davis Instruments shall be, and is hereby, **DISMISSED WITH PREJUDICE**.

The plaintiff and Cole Thermo Fisher Scientific, Inc. D/B/A Davis Instruments
each shall bear its own costs, expenses and legal fees.

This dismissal does not affect any other named defendant.

SIGNED this 7th day of October, 2008.

Dave Johnson

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE